

REMARKS

Claims 1, 2 and 6-12 are pending in the application. Claim 8 has been withdrawn from further consideration.

Drawings

The drawings have been objected to under 37 C.F.R. § 1.83(a) because the slab-shaped skeletal member with holes in a honeycomb pattern is not shown in the drawings.

Applicants respectfully submit that claim 5, which claims the "honeycomb pattern", was canceled in the Reply filed on June 1, 2004, and thus, the drawings do not have to show the slab-shaped skeletal member with holes in a honeycomb pattern.

In view of this, the Examiner is respectfully requested to reconsider and withdraw this drawing objection.

Claim Rejections - 35 U.S.C. § 103

(a) Claims 1-3, 6-7, and 10-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Nobuyuki (JP 10-321354) in view of Hosokawa (USP 6,623,563) and further in view of Kihira (USP 5,691,811). This rejection is respectfully traversed.

Applicants respectfully submit that this art grounds of rejection is improper because the Examiner has failed to establish a *prima facie* case of obviousness and thus should be withdrawn.

To establish a *prima facie* case of obviousness, three basic criteria must be met.

First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally the prior art reference (or references when combined) must teach or suggest all the claimed limitations (MPEP § 2142).

Further, the mere fact that reference can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination (MPEP § 2143.01).

In the Office Action, the Examiner relies on the Kihira reference and states that it "teaches a slit plate 2 and that a pattern in this plate like a lattice or a honeycomb-like pattern can be used to produce substantially the same effect (col. 7, lines 28-31)."

Kihira discloses a method of detecting a defect of a transparent sheet 3 provided in which light beam irradiated from a light source 1 is taken by a plurality of one-dimensional camera 4 through a slit plate 2. The slit plate 2 has light transmitting portions and light shading portions, which are arranged in a checked pattern, lattice-like pattern, honeycomb-like pattern or rhombic pattern.

Kihira, however, is directed to the method of detecting a defect of a transparent sheet and has no relationship whatsoever with a heating device of the claimed invention of the present application. Kihira does not disclose or even suggest that its slit plate 2 can be used in a heating device.

Moreover, the Hosokawa reference, which discloses a susceptor 111 having a support frame 117 inside an exterior material, does not teach or even suggest that a slit plate, like that used to detect a defect in a transparent sheet, can be used in place of the support frame 117.

Further, one of ordinary skill in the art would not have been motivated to combine Kihira with Nobuyuki and Hosokawa because although Nobuyuki and Hosokawa are directed to the art of heating plate, Kihira is directed to a totally unrelated technology.

In view of this, this art grounds of rejection should be withdrawn and the rejected claims should be allowed because the Examiner has failed to establish a *prima facie* case of obviousness. There is no suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

Applicants respectfully submit that claim 3 was canceled in the Reply filed on June 1, 2004.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 4-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Nobuyuki in view of Hosokawa and Kihira and further in view of Shamouilian et al. (USP 6,440,221). This rejection is respectfully traversed.

Applicants respectfully submit that claims 4-5 were canceled in the Reply filed on June 1, 2004, thus rendering this rejection moot.

In view of this, the Examiner is respectfully requested to reconsider and withdraw this rejection.

(c) Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Nobuyuki in view of Hosokawa and Kihira and further in view of Shamouilian. This rejection is respectfully traversed.

Claim 10, dependent on claim 1, is allowable at least for its dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(d) Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Nobuyuki in view of Hosokawa and Kihira because it claims product by process.

Claim 9, dependent on claim 1, is allowable at least for its dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

#### Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.


The Examiner is respectfully requested to enter this Reply After Final in that it raises no new issues. Alternatively, the Examiner is respectfully requested to enter this Reply After Final in that it places the application in better form for Appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (Reg. No. 40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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